

## FRENCH LINE HOLDS IT MUST USE WINE

Injunction Plea Cites Law  
of Homeland That Forbids  
Ship Prohibition.

## FREIGHT SERVICE HIT

Voyagers Cancel Bookings  
on American Craft and  
Blame Daugherty.

## TEST CASES UP TUESDAY

Judge Hand Gives No Idea of  
When He May Decide on  
Permanent Injunctions.

The French Line applied yesterday to Judge Learned Hand in United States District Court for a permanent injunction restraining Andrew W. Mellon, Secretary of the Treasury, and other Federal officers from enforcing Attorney-General Daugherty's prohibition ruling on vessels of that line in this port. Judge Hand will hear argument on the case Tuesday, when four other complaining steamship lines also will be heard.

Joseph P. Nolan, counsel for the French Line, did not ask a restraining order similar to the temporary injunction granted the White Star Line, the International Mercantile Marine Company and the United American Line. He said a restraining order was not sought because foreign lines do not come under the Daugherty ban until October 21.

The complaint of the French Line differed from complaints of the British-owned Cunard-Anchor lines, in that French laws were cited to bear out the contention that Mr. Daugherty's ruling is illegal in seeming to override the statutes of a foreign nation.

"Your complaint shows," Mr. Nolan said to the court, "that under the laws of the Republic of France your complainant is required to supply daily to each member of each ship one-half liter of wine of alcoholic content per day and to stokers on said steamships one liter of wine of alcoholic content per day."

"Your complainant further shows that under the French law the company, the captain of the ship and the officers and agents of the company are subject to severe penalties enforceable in France, under the laws of France, for the refusal of the company and its officers to obey that law. Such refusal would result in preventing the company from using or operating its ships."

Steamship officials throughout the world will await eagerly the decision of Judge Hand after he hears arguments in the five test cases set for Tuesday. The foreign lines that have applied for injunctions are the Cunard-Anchor, the White Star, owner of the giantess Mauretania, and the Compagnie Generale Transatlantique. The International Mercantile Marine Company and the United American lines obtained temporary restraining orders from Judge Hand.

William Hayward, United States Attorney, aided by John Holley Clark, Jr., his chief assistant, will argue the case for the Government in efforts to show cause why Federal officials should not be enjoined permanently from enforcing the drastic provisions of the Daugherty ruling. Judge Hand has given no idea of when he will render his decision. It is likely that at least three of the hearings set for Tuesday will go over until Wednesday.

Preparations have been made by the complaining companies to fight the Daugherty ruling in the United States Supreme Court. French steamship companies also have announced that they will take the case to The Hague, believing that Mr. Daugherty's ruling violates provisions of treaties between the United States and France.

Passenger Lists Depleted.

Indications of the effect of the Daugherty ruling on American craft were apparent yesterday in the sailing of several steamships with passenger lists depleted by persons who had engaged passage prior to the prohibition regulation. In several cases the passengers openly stated that they were cancelling their passage on the American ship because of the ruling, and in the other cases no reason was given.

Officials of American steamship companies were also unanimous in declaring that not only their passenger traffic, which had made a large advance during the summer season, but their freight trade, none too good, will be affected seriously by the ruling of the Attorney-General.

The steamships Finland of the Red Star Line, and President Roosevelt of the United States Lines, a Shipping Board boat, sailed yesterday. The Finland's supply of liquor was under seal and will be disposed of when the vessel gets to Southampton. The liquor had all been taken from the President Roosevelt before that ship sailed from Hoboken for Bremen. The supply had been turned over to Treasury Department officials and a receipt taken. The steamship Pastore of the United Fruit company fleet, and the Orizaba of the Ward Line also sailed without liquor stores and the Pan American of the Munson Line sailed with the liquor supply under seal to be disposed of in South America.

Among the day's arrivals was the Guglielmo Pelee, which came into port absolutely dry, her officers stating that no intoxicants were aboard. The Guglielmo Pelee brought 957 passengers from Naples.

Munson Commends Harding.

On board the Pan-America, sailing for South America, Frank C. Munson, president of the line, attacked the new ruling and said that the reported attitude of President Harding toward a modification of the Volstead act is most commendable. Mr. Munson also said that the liquor supply aboard the Pan-America was not removed because the officials had been unable to find any Government official who would accept it, the latter stating that the line could keep it until October 15 under the ruling. The Pan-America sailed with 129 passengers, about eighty less than the usual capacity list. This season is the best for South American travel, and the sailing lists to that country have been very heavy, but a noticeable falling off has been reported since the new ruling was introduced.

All of the South American and West Indian trade, passenger and freight,

## Sleepy Hollow Church Is 225 Years Old To-day

THE old Dutch Church of Sleepy Hollow, Tarrytown, which was built by Frederick Philipse in 1697, will be 225 years old to-day, and the event will be celebrated with appropriate services. The old edifice is open for only a few Sundays during the year. It will be opened this afternoon at 3:30, and the Rev. John Knox Allen, for fifty years minister of the church, will preach.

will be hurt severely by the new ruling, as far as American ships are concerned, shipping men said yesterday. Although the transatlantic trade is about over, the South American, Cuban and West Indian trade usually is at its height at this time. With the added impetus of the Brazilian Centennial, the travel on those southern routes has been unusually heavy. A number of persons who have booked passage for the next few months on American ships have cancelled their bookings, many stating that while they do not drink they feel that the privilege should not be taken from those who do.

One shipping company official, speaking of the cancellation of numerous passages because of the liquor ban, said: "Some of these tourists who have travelled aboard transatlantic lines for years have cancelled their passage on American ships, saying that they cannot imagine any social function aboard the ships at sea without the customary glass of wine, champagne or cordial. A captain's dinner, any social function, seems incomplete to them without a little wine or liquor of some sort. And these persons are by no means a drinking people. The cases of intoxication aboard liners are very rare. That is always taken care of by the ship's officers. It is not tolerated."

Competition Destroyed.

Another shipping man stated that the ruling particularly handicaps the American ships just as they were making substantial inroads into the passenger business of foreign lines. There is little chance now for competition in transatlantic trade, he said.

Mr. Munson, in speaking of this phase of the matter, said that while 129 passengers are aboard the Pan America, twenty-five passages were cancelled, most of them directly because of the ruling.

"All information of these cancellations has been forwarded to the chairman of the Shipping Board," Mr. Munson said, "and through him to President Harding. Quite a number of these passengers who cancelled their bookings definitely stated that they would go south by a British competing line, to get wines when they wanted them."

"One of the broad principles of the steamship business," he said, "is that we must meet and if possible improve on the best our competitors can do. Prohibition is a step backward and is a handicap to American ships, whereas in this trade we have better and faster ships and otherwise are able to do as well and in many cases better than our foreign competitors. I have the greatest confidence in President Harding and our Cabinet and believe the whole matter will be handled so as not to cause international complications. A vital need is that the whole matter of foreign ships within the three mile limit and privately owned American ships be left to a decision of the United States Supreme Court before any rigid rules be enforced."

**'KING OF BOOTLEGGERS'  
ARRESTED IN SAVANNAH**  
Cassese Will Be Returned to Brooklyn for Trial.

Anthony Cassese of Ozone Park, Queens, wanted in Brooklyn on two indictments, charging violation of the Volstead act, was arrested in Savannah, Ga., according to a telegram received yesterday by Guy O. Walser, assistant United States Attorney in Brooklyn. Cassese disappeared last May, after he was released in \$5,000 bail for his first alleged violation of the Volstead law. The first indictment resulted from the seizure at Bayville, L. I., last April of the liquor laden yacht Edith, owned by the former tobacco dealer and alleged "king of bootleggers." Cassese was indicted a second time after seizure of another of his vessels, the steam trawler Ripple, in Brooklyn. Liquor also was found on the Ripple. His bond was increased to \$10,000, but he failed to appear before Judge Garvin in United States District Court in Brooklyn when his trial was called last June. Arrangements are being made for the return of Cassese for trial.

**NO INTOXICANT SERVED  
AT DINNER IN BAYONNE**

Garven Denounces Accusation  
as Democratic Distortion.

Vigorous denial that wine was in evidence at a political dinner given by the Italian-Republican Club at Bayonne, N. J., and attended by Senator Freylinghuysen, State Senator Runyon and the Rev. Warren P. Coon, candidate for Congress, was made last night by Pierre O. Garven, Hudson county prosecutor. The Democratic city committee of Bayonne had charged that at the dinner there "was enough wine to float a battleship." The report caused a stir in New Jersey politics.

"The accusation," said Mr. Garven last night, "is the usual Democratic way of distorting facts." Mr. Freylinghuysen and Mr. Runyon were not at the dinner until it was nearly over. I saw no wine or intoxicating liquors of any kind, and it is a positive fact that wine was not served."

**CLEAR GINGER ALE TRAIN  
OF LIQUOR PLOT CHARGE**

Officials Find No Connection  
of 57 Cars With Bootleggers.

The theory that fifty-seven carloads of ginger ale shipped from the Eastern Springs Company, Benton Harbor, Mich., and consigned to that company at the Bush Terminal yards, Brooklyn, figured in a gigantic liquor plot was exploded yesterday by Chris J. Fortman, chief city prohibition agent, and Denis Brazier, chief of the terminal police.

Fortman took samples of the ginger ale and said it contained no alcohol. Brazier ridiculed the idea that a bootleg gang had planned to refill the ginger ale bottles with liquor. Such consignments of ginger ale, he said, are not uncommon. It will be distributed from the Bush Terminal yards to Eastern purchasers.

**PASSENGERS LAUGH  
WHEN BAR IS CLOSED**

Nobody on the Van Buren  
Takes Order Seriously.

CHEROKEE, Oct. 14.—The American steamship President Van Buren arrived here to-day, after receiving during her passage the order to cease the sale of liquor on board. The order was carried out.

When the bars were closed, it seemed so incredible to the passengers that they only laughed. Many of them expressed the conviction that the order soon would be canceled.

## FORMER MRS. HIPSCH ORDERED TO FILE SUIT

New Litigation Faces Mrs.  
Fox, Named in Shontz Case.

Mrs. Anna Lovell Fox, former wife of Frederick Hipisch, who was sued for divorce in February by Hugh Corby Fox, a railway supply dealer of 120 West Fifty-seventh street, has failed to have her \$750 counsel fee transferred from her former attorney, John F. Cowan, esq., Municipal Court Justice, to Edward L. Reilly, according to papers filed yesterday in the Supreme Court. Justice Marsh said that Mrs. Fox should sue to determine the value of Judge Cowan's services.

Mr. and Mrs. Fox were married in Granby, Conn., in February, 1916. They were living apart when the divorce suit was started. Mrs. Fox receiving \$300 a month in accordance with a separation agreement. Justice Erlanger in July appointed Benjamin Foster referee. Mr. Hipisch in 1909 sued the late Theodore P. Shontz for \$200,000 damages in the Supreme Court here, alleging alienation of his wife's affections, but the

name of the former president of the Interborough Rapid Transit Company is not mentioned in the Fox papers.

## PARROT CALLS POLICE; THEY BATTER IN DOOR

Passerby Hears Screams and  
Bluecoats Rush to Aid.

As Jonathan Marquet, a salesman, of 314 West Ninety-sixth street, Manhattan, passed the house at 411 Hill street, New Durham, N. J., yesterday he heard strange cries and moans. Then he was startled by a scream of "Police!" Marquet ran until he reached the police station, two blocks distant. Half a dozen policemen accompanied him back to the Hill street house. Pounding on the door was without response except for the continued groans and shouts for police, and the door was battered down. No one appeared to be in the rooms. On the dining table was a note, "Dear Children—Have gone to Aunt Anna's. Will be back at 4." Then the moaning started again, followed by a derisive "ha, ha," from a caged parrot at the window.

## METAL MILLS' TOLL DROPS.

27 Killed, 4,494 Hurt in 1921,  
Against 61 and 8,863 in 1920.  
WASHINGTON, Oct. 14.—Metal mills

and smelters, excluding iron blast furnaces, took a death toll of twenty-seven employees in the United States in 1921, against sixty-one deaths in 1920. Injured totaled 4,494, against 8,863 last year.

Gaiety

12 East 48th St. New York

Announcing a New Collection of  
SMART HATS  
and  
STYLISH GOWNS

for STREET, AFTERNOON and EVENING WEAR  
Moderately Priced

MAGNOLIA

PALM BEACH

SOUTHAMPTON

Visit the Jewish Philanthropic Societies Exhibit and Pageant, Hotel Pennsylvania, Oct. 16 and 17

## LILIPUTIAN BAZAAR FASHIONS FOR WINTER

BEST & COMPANY  
372 FIFTH AVENUE

Very young gentlemen are wearing colored linen suits entirely hand-made, for formal occasions. This one in blue, rose, white maize or lavender linen has hand-drawn smock, and hemstitched white frills. Exclusive with the Liliputian Bazaar — 2 to 4 yrs. 16.50



Mothers who like to see their small sons as picturesquely attired as their sisters will like this little velvet suit, made suspender fashion with a fine white silk blouse. In ruby, navy or black velvet, the blouse edged with pleatings. 2 to 4 years. 14.50



Everybody loves a little girl in a white dress and nothing could be more appealing than a white dotted swiss frock with collar and sleeves button-holed in color, and a block of smocking to match. This one is all hand-made in the Liliputian Bazaar's own workrooms. 9.75



Every season Paris sends us a new version of the net frock over colored slip, and this time it takes the form of embroidered and braided net with bateau neckline, rose-bud trimmed hem, and flesh-tinted garter slip 65.00. The demure poke is a confection in matching materials 35.00.



THE Liliputian Bazaar speaks a universal language, and lovely things for babies are gathered here from all over the world. To these we add the exclusive creations of our own shop—the sum total a collection of clothes that could only be found in the Liliputian Bazaar—the first baby store in the world, and still the best store.

## PARIS

It could have come only from Paris—this poke of rose-pink duvetyne, hand-embroidered in gray, with facing, and chin strap of gray taffeta 19.50



## MILLINERY

In the French collection, also, creations of faille silk or crepe de chine, hand-made, hand-embroidered, and combined with real laces 8.75 to 32.50



A Liliputian Bazaar representative selected these unusual bloomer dresses in Paris. They have just been unpacked and are a colorful addition to our stocks. Of pastel tinted batiste, with pleated inserts of white, and frill collar and belt bound in white. 7.50



London made it and Best & Co. is first in New York to show it. A white angora jacket and cap, so soft and warm and furry that the small person who wears it resembles a little white kitten. It ties around one's neck, and wrists and "tummy" with white satin ribbon. Jacket 22.50, Cap 7.50



## NURSERY FURNITURE

Dresden-decorated wicker bassinet, trimmed with laces, ribbons and china silk, (pink or blue), white or ivory, 38.75. Untrimmed 20.75. Mattress, 5.25 Decorated clothes tree comes in white or ivory, 2.50

"His Majesty's private car" is a perambulator with comfortable deep body of wood, and upholstery of leather cloth. Finished in white, gray or navy 47.00

## SACQUES

A French Sacque of crepe de chine, is hem-stitched all round, hand-embroidered, and finished with real Val 29.75



## SACQUES

Other hand-made, and hand-embroidered sacques of cashmere are 2.50 to 10.50; made in silk they are 3.75 to 29.75.

## NURSERY COMFORTS

A French bib hand-made; hand-embroidered and edged with Val; 8.75. Others from 1.25 to 15.00

Hand-embroidered shoes, illustrated 6.25 Other hand-embroidered shoes, from 85c to 7.50



Even if he has hardly any hair at all, he'll enjoy having his comb and brush set mounted in silver. This set sterling mounted 4.73 Including Tax The sterling silver spoon is 1.58 Including Tax

Best & Co.

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